

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

KIRILL GORDEI

Defendant

Criminal No. 24-10100-MJJ

JOINT MEMORANDUM FOR STATUS REPORT

The parties jointly submit this memorandum addressing the issues set out in Local Rule 116.5(a).

1. **Status of Automatic Discovery and Any Pending Discovery Request**

On August 13, 2024, the government produced automatic discovery as required under the Local Rules.

On September 6, 2024, the government made a small additional production.

On October 21, 2024, the government produced extractions of two cellular phones seized from Mr. Gordei containing a large volume of communications (*e.g.*, over 1 million Telegram messages and over 500,000 WhatsApp messages) and, separately, returns containing voluminous emails (*e.g.*, over 19,000 emails from accounts associated with Mr. Gordei as well as tens of thousands of emails associated with 106 accounts belonging to a corporate entity). Much of this material is in Russian.

2. **The Timing of Any Additional Discovery to be Produced**

The government will make such further and pre-trial disclosures as are required by law.

3. **The Timing of Any Additional Discovery Requests**

The defendant is still in the process of reviewing discovery and does not yet know whether he intends to seek any further discovery requests.

4. The Timing of Pretrial Motions

The defendant does not yet know whether he intends to file any substantive motions.

5. The Timing of Expert Witness Disclosures

The defendant has requested expert discovery pursuant to Fed. R. Crim. P. 16(a)(1)(G) and the parties request that the Court order that such discovery be produced no later than 60 days prior to trial in this matter, with reciprocal discovery to be produced no later than 30 days before trial.

8. Excludable delay

The government requests that the Court exclude the time from November 26, 2024 , until the date of the next status conference, under 18 U.S.C. § 3161(h)(7)(A), because the parties have needed the time to produce and review discovery in this case. The ends of justice served by this exclusion outweigh the interests of the public and the defendant in a speedy trial.

8. Interim status conference

The parties request an additional 45 days for an interim status conference. The need or a status conference on November 26, 2024, is obviated given the parties' need for additional time to produce and review discovery. Accordingly, the parties would request that the November 26, 2024, status conference be cancelled.

Respectfully submitted,

JOSHUA S. LEVY
Acting United States Attorney

By: /s/ Laura J. Kaplan

Laura J. Kaplan
Assistant U.S. Attorney

Boston, MA 02110